



#5

Atty. Docket No: 28110/35915A

**DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below as true to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**MATERIALS AND METHODS RELATING TO LIPID METABOLISM**," the specification of which was filed on April 16, 2001 as Application Serial No. 09/835,996. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Priority Claimed

☐ Yes ☐ No

(Application Serial Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

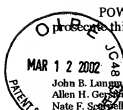
60/197,137 14/04/00  
(Application Serial Number) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>09/714,936</u>	<u>17/11/00</u>	<u>Pending</u>
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
<u>09/667,298</u>	<u>22/09/00</u>	<u>Pending</u>
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
<u>09/631,451</u>	<u>03/08/00</u>	<u>Pending</u>
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
<u>09/598,042</u>	<u>20/06/00</u>	<u>Pending</u>
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:



John B. Longmuir (18,566)  
 Allen H. Gosselin (22,218)  
 Nate F. Scully (22,320)  
 Michael F. O'Toole (22,477)  
 Michael F. Borun (25,447)  
 Trevor B. Joike (25,542)  
 Carl E. Moore, Jr. (26,487)  
 Richard H. Anderson (26,526)

Patrick D. Ertel (26,877)  
 Richard B. Hoffman (26,910)  
 James P. Zeller (28,491)  
 William E. McCracken (30,195)  
 Richard A. Schnurr (30,890)  
 Anthony Nimmo (30,920)  
 Christine A. Dudzik (31,245)  
 Kevin D. Hogg (31,839)

Jeffrey S. Sharp (31,879)  
 Martin J. Hirsch (32,237)  
 James J. Napoli (32,361)  
 Richard M. La Barge (32,254)  
 Li-Hsien Rin-Laures, M.D. (33,547)  
 Douglass C. Hochstetler (33,710)  
 Robert M. Gerstein (34,824)

Anthony G. Sitko (36,278)  
 James A. Flight (37,622)  
 Roger A. Heppermann (37,641)  
 David A. Gass (38,153)  
 Gregory C. Mayer (38,238)  
 Michael R. Weiner (38,359)  
 William K. Merkel (40,725)

Send correspondence to: Sharon M. Sintich

FIRM NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Marshall, O'Toole, Gerstein, Murray & Borun	312-474-6300	6300 Sears Tower 233 South Wacker Drive	Chicago, Illinois	60606-6402

Full Name of First or Sole Inventor <b>Dennis G. Ballinger</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>38 Bishop Lane</b>	Post Office Address - Street <b>38 Bishop Lane</b>
City (Zip) <b>Menlo Park, 94025</b>	City (Zip) <b>Menlo Park, 94025</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Second Joint Inventor, if any <b>Deborah Loeb</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>5932 Valley Meadow Court</b>	Post Office Address - Street <b>5932 Valley Meadow Court</b>
City (Zip) <b>San Jose, 95135</b>	City (Zip) <b>San Jose, 95135</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Third Joint Inventor, if any <b>Julie R. Montgomery</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>2077 Redwood Drive</b>	Post Office Address - Street <b>2077 Redwood Drive</b>
City (Zip) <b>Santa Cruz, 95060</b>	City (Zip) <b>Santa Cruz, 95060</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourth Joint Inventor, if any <b>Y. Tom Tang</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4230 Ranwick court</b>	Post Office Address - Street <b>4230 Ranwick Court</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

The patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

**35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT**

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

**35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)**

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

**35 U.S.C. 112. SPECIFICATION (Applicable Portion)**

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Fifth Joint Inventor, if any <b>Ping Zhou</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7595 Newcastle Drive</b>	Post Office Address - Street <b>7595 Newcastle Drive</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



Sixth Joint Inventor, if any <b>Ryle Goodrich</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4896 Sandy Lane</b>	Post Office Address - Street <b>4896 Sandy Lane</b>
City (Zip) <b>San Jose, 95124</b>	City (Zip) <b>San Jose, 95124</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Seventh Joint Inventor, if any <b>Chenghua Liu</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>1125 Ranchero Way, Apt. 14</b>	Post Office Address - Street <b>1125 Ranchero Way, Apt. 14</b>
City (Zip) <b>San Jose, 95117</b>	City (Zip) <b>San Jose, 95117</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eighth Joint Inventor, if any <b>Vinod Asundi</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>709 Foster City Blvd.</b>	Post Office Address - Street <b>709 Foster City Blvd.</b>
City (Zip) <b>Foster City, 94404</b>	City (Zip) <b>Foster City, 94404</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> 2/13/02	Signature <input checked="" type="checkbox"/> <i>Vinod Asundi</i>

Ninth Joint Inventor, if any <b>Qing A. Zhao</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>1556 Kooser Road</b>	Post Office Address - Street <b>1556 Kooser Road</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



Tenth Joint Inventor, if any <b>Tom Wehrman</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>	Post Office Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>
City (Zip) <b>Stanford, 94305</b>	City (Zip) <b>Stanford, 94305</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eleventh Joint Inventor, if any <b>Radoje T. Drmanac</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>850 East Greenwich Place</b>	Post Office Address - Street <b>850 East Greenwich Place</b>
City (Zip) <b>Palo Alto, 94303</b>	City (Zip) <b>Palo Alto, 94303</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Twelfth Joint Inventor, if any <b>Feiyan Ren</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7703 Oak Meadow Court</b>	Post Office Address - Street <b>7703 Oak Meadow Court</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Thirteenth Joint Inventor, if any <b>Xiaohong B. Qian</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>3662 Tumble Way</b>	Post Office Address - Street <b>3662 Tumble Way</b>
City (Zip) <b>San Jose, 95132</b>	City (Zip) <b>San Jose, 95132</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourteenth Joint Inventor, if any <b>Dunrui Wang</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>12252 Pepper Tree Lane</b>	Post Office Address - Street <b>12252 Pepper Tree Lane</b>
City (Zip) <b>Poway, 92064</b>	City (Zip) <b>Poway, 92064</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



## DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

I, the below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **"MATERIALS AND METHODS RELATING TO LIPID METABOLISM,"** the specification of which was filed on April 16, 2001 as Application Serial No. 09/835,996. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Priority Claimed

☐ Yes  
☐ No

_____ (Application Serial Number)	_____ (Country)	_____ (Day/Month/Year Filed)
--------------------------------------	--------------------	---------------------------------

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>60/197,137</u> (Application Serial Number)	<u>14/04/00</u> (Day/Month/Year Filed)
--	---

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>09/714,936</u> (Application Serial Number)	<u>17/11/00</u> (Day/Month/Year Filed)	<u>Pending</u> (Status-Patented, Pending or Abandoned)
<u>09/667,298</u> (Application Serial Number)	<u>22/09/00</u> (Day/Month/Year Filed)	<u>Pending</u> (Status-Patented, Pending or Abandoned)
<u>09/631,451</u> (Application Serial Number)	<u>03/08/00</u> (Day/Month/Year Filed)	<u>Pending</u> (Status-Patented, Pending or Abandoned)
<u>09/598,042</u> (Application Serial Number)	<u>20/06/00</u> (Day/Month/Year Filed)	<u>Pending</u> (Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

**MAR 12 2002**  
 John P. Lungmus (18,566)  
 Allen R. Gerstein (22,218)  
 Nate K. Gerswiler (22,218)  
 Edward M. Haddad (22,218)  
 Michael F. Borun (25,447)  
 Trevor B. Joike (25,542)  
 Carl E. Moore, Jr. (26,487)  
 Richard H. Anderson (26,526)

Patrick D. Ertel (26,877)  
 Richard B. Hoffman (26,910)  
 James P. Zeller (28,491)  
 William E. McCracken (30,195)  
 Richard A. Schurr (30,890)  
 Anthony Nimmo (30,920)  
 Christine A. Dudzik (31,245)  
 Kevin D. Hogg (31,839)

Jeffrey S. Sharp (31,879)  
 Martin J. Hirsch (32,237)  
 James J. Napoli (32,361)  
 Richard M. LaBerge (32,254)  
 Li-Hsien Rin-Laures, M.D. (33,547)  
 Douglass C. Hochstetler (33,710)  
 Robert M. Gerstein (34,824)

Anthony G. Sitko (36,278)  
 James A. Flight (37,622)  
 Roger A. Heppermann (37,641)  
 David A. Gass (38,153)  
 Gregory C. Mayer (38,238)  
 Michael R. Weiner (38,359)  
 William K. Merkel (40,725)

Send correspondence to: Sharon M. Sintich

FIRM NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Marshall, O'Toole, Gerstein, Murray & Borun	312-474-6300	6300 Sears Tower 233 South Wacker Drive	Chicago, Illinois	60606-6402

Full Name of First or Sole Inventor <b>Dennis G. Ballinger</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>38 Bishop Lane</b>	Post Office Address - Street <b>38 Bishop Lane</b>
City (Zip) <b>Menlo Park, 94025</b>	City (Zip) <b>Menlo Park, 94025</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Second Joint Inventor, if any <b>Deborah Loeb</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>5932 Valley Meadow Court</b>	Post Office Address - Street <b>5932 Valley Meadow Court</b>
City (Zip) <b>San Jose, 95135</b>	City (Zip) <b>San Jose, 95135</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Third Joint Inventor, if any <b>Julie R. Montgomery</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>2077 Redwood Drive</b>	Post Office Address - Street <b>2077 Redwood Drive</b>
City (Zip) <b>Santa Cruz, 95060</b>	City (Zip) <b>Santa Cruz, 95060</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourth Joint Inventor, if any <b>Y. Tom Tang</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4230 Ranwick Court</b>	Post Office Address - Street <b>4230 Ranwick Court</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



## APPLICABLE RULES AND STATUTES

### 35 U.S.C. 1.56. DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

### 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

### 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)


A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.



Fifth Joint Inventor, if any <b>Ping Zhou</b>		Citizenship <b>United States of America</b>
Residence Address - Street <b>7595 Newcastle Drive</b>		Post Office Address - Street <b>7595 Newcastle Drive</b>
City (Zip) <b>Cupertino, 95014</b>		City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>		State or Country <b>California</b>
Date <input checked="" type="checkbox"/>		Signature <input checked="" type="checkbox"/>

Sixth Joint Inventor, if any <b>Ryle Goodrich</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4896 Sandy Lane</b>	Post Office Address - Street <b>4896 Sandy Lane</b>
City (Zip) <b>San Jose, 95124</b>	City (Zip) <b>San Jose, 95124</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Seventh Joint Inventor, if any <b>Chenghua Liu</b>	Citizenship <del>United States of America</del> <i>People's Republic of China</i>
Residence Address - Street <b>1125 Ranchero Way, Apt. 14</b>	Post Office Address - Street <b>1125 Ranchero Way, Apt. 14</b>
City (Zip) <b>San Jose, 95117</b>	City (Zip) <b>San Jose, 95117</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> <i>2-12-2002</i>	Signature <input checked="" type="checkbox"/> <i>Chenghua Liu</i>

Eighth Joint Inventor, if any <b>Vinod Asundi</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>709 Foster City Blvd.</b>	Post Office Address - Street <b>709 Foster City Blvd.</b>
City (Zip) <b>Foster City, 94404</b>	City (Zip) <b>Foster City, 94404</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Ninth Joint Inventor, if any <b>Qing A. Zhao</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>1556 Kooser Road</b>	Post Office Address - Street <b>1556 Kooser Road</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



## DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below. I am my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**MATERIALS AND METHODS RELATING TO LIPID METABOLISM**," the specification of which was filed on April 16, 2001 as Application Serial No. 09/835,996. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

			Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Application Serial Number)	_____ (Country)	_____ (Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>60/197,137</u>	<u>14/04/00</u>
(Application Serial Number)	(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>09/714,936</u>	<u>17/11/00</u>	<u>Pending</u>
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

<u>09/667,298</u>	<u>22/09/00</u>	<u>Pending</u>
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

<u>09/691,451</u>	<u>03/08/00</u>	<u>Pending</u>
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

<u>09/598,042</u>	<u>20/06/00</u>	<u>Pending</u>
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I hereby appoint as my attorneys, with full power of substitution and revocation, to prosecute the application and transact all business in the Patent and Trademark Office connected therewith:

John B. Bergmus (18,566)  
 Allen H. Gerstein (22,218)  
 Nate F. Schuchli (22,320)  
 Edward M. O'Connell (25,447)  
 Michael F. Borun (25,447)  
 Trevor B. Joike (25,542)  
 Carl E. Moore, Jr. (26,487)  
 Richard H. Anderson (26,526)

Patrick D. Ertel (26,877)  
 Richard B. Hoffman (26,910)  
 James P. Zeller (28,491)  
 William E. McCracken (30,195)  
 Richard A. Schnurr (30,890)  
 Anthony Nimmo (30,920)  
 Christine A. Dudzik (31,245)  
 Kevin D. Hogg (31,839)

Jeffrey S. Sharp (31,879)  
 Martin J. Hirsch (32,237)  
 James J. Napoli (32,361)  
 Richard M. La Barge (32,254)  
 Li-Hsien Rin-Laures, M.D. (33,547)  
 Douglass C. Hochstetler (33,710)  
 Robert M. Gerstein (34,824)

Anthony G. Sitko (36,278)  
 James A. Flight (37,622)  
 Roger A. Heppermann (37,641)  
 David A. Gass (38,153)  
 Gregory C. Mayer (38,238)  
 Michael R. Weiner (38,359)  
 William K. Merkel (40,725)

Send correspondence to: Sharon M. Sintich

FIRM NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Marshall, O'Toole, Gerstein, Murray & Borun	312-474-6300	6300 Sears Tower 233 South Wacker Drive	Chicago, Illinois	60606-6402

Full Name of First or Sole Inventor <b>Dennis G. Ballinger</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>38 Bishop Lane</b>	Post Office Address - Street <b>38 Bishop Lane</b>
City (Zip) <b>Menlo Park, 94025</b>	City (Zip) <b>Menlo Park, 94025</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Second Joint Inventor, if any <b>Deborah Loeb</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>5932 Valley Meadow Court</b>	Post Office Address - Street <b>5932 Valley Meadow Court</b>
City (Zip) <b>San Jose, 95135</b>	City (Zip) <b>San Jose, 95135</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Third Joint Inventor, if any <b>Julie R. Montgomery</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>2077 Redwood Drive</b>	Post Office Address - Street <b>2077 Redwood Drive</b>
City (Zip) <b>Santa Cruz, 95060</b>	City (Zip) <b>Santa Cruz, 95060</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourth Joint Inventor, if any <b>Y. Tom Tang</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4230 Ranwick Court</b>	Post Office Address - Street <b>4230 Ranwick Court</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



## APPLICABLE RULES AND STATUTES

### 37 CFR 1.56. DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

Information is not by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

### 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

### 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Fifth Joint Inventor, if any <b>Ping Zhou</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7595 Newcastle Drive</b>	Post Office Address - Street <b>7595 Newcastle Drive</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



Sixth Joint Inventor, if any <b>Ryle Goodrich</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4896 Sandy Lane</b>	Post Office Address - Street <b>4896 Sandy Lane</b>
City (Zip) <b>San Jose, 95124</b>	City (Zip) <b>San Jose, 95124</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Seventh Joint Inventor, if any <b>Chenghua Liu</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>1125 Ranchero Way, Apt. 14</b>	Post Office Address - Street <b>1125 Ranchero Way, Apt. 14</b>
City (Zip) <b>San Jose, 95117</b>	City (Zip) <b>San Jose, 95117</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eighth Joint Inventor, if any <b>Vinod Asundi</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>709 Foster City Blvd.</b>	Post Office Address - Street <b>709 Foster City Blvd.</b>
City (Zip) <b>Foster City, 94404</b>	City (Zip) <b>Foster City, 94404</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Ninth Joint Inventor, if any <b>Qing A. Zhao</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>1556 Kooser Road</b>	Post Office Address - Street <b>1556 Kooser Road</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Tenth Joint Inventor, if any Tom Wehrman	Citizenship United States of America
Residence Address - Street CCSR Mol Pharm 3210 269 W. Campus Drive	Post Office Address - Street CCSR Mol Pharm 3210 269 W. Campus Drive
City (Zip) Stanford, 94305	City (Zip) Stanford, 94305
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



Eleventh Joint Inventor, if any Radoje T. Drmanac	Citizenship United States of America
Residence Address - Street 850 East Greenwich Place	Post Office Address - Street 850 East Greenwich Place
City (Zip) Palo Alto, 94303	City (Zip) Palo Alto, 94303
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Twelfth Joint Inventor, if any Feiyan Ren	Citizenship United States of America
Residence Address - Street 7703 Oak Meadow Court	Post Office Address - Street 7703 Oak Meadow Court
City (Zip) Cupertino, 95014	City (Zip) Cupertino, 95014
State or Country California	State or Country California
Date <input checked="" type="checkbox"/> 2/13/02	Signature <input checked="" type="checkbox"/> [Signature]

Thirteenth Joint Inventor, if any Xiaohong B. Qian	Citizenship People's Republic of China
Residence Address - Street 3662 Tumble Way	Post Office Address - Street 3662 Tumble Way
City (Zip) San Jose, 95132	City (Zip) San Jose, 95132
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourteenth Joint Inventor, if any Dunrui Wang	Citizenship People's Republic of China
Residence Address - Street 12252 Pepper Tree Lane	Post Office Address - Street 12252 Pepper Tree Lane
City (Zip) Poway, 92064	City (Zip) Poway, 92064
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



## DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a ~~sole~~ <sup>co</sup> ~~named~~ <sup>inventor</sup>, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**MATERIALS AND METHODS RELATING TO LIPID METABOLISM,**" the specification of which was filed on April 16, 2001 as Application Serial No. 09/835,996. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Priority Claimed

☐ Yes      ☐ No

(Application Serial Number)	(Country)	(Day/Month/Year Filed)
1	USA	1/1/2000
2	USA	1/1/2000
3	USA	1/1/2000
4	USA	1/1/2000
5	USA	1/1/2000
6	USA	1/1/2000
7	USA	1/1/2000
8	USA	1/1/2000
9	USA	1/1/2000
10	USA	1/1/2000
11	USA	1/1/2000
12	USA	1/1/2000
13	USA	1/1/2000
14	USA	1/1/2000
15	USA	1/1/2000
16	USA	1/1/2000
17	USA	1/1/2000
18	USA	1/1/2000
19	USA	1/1/2000
20	USA	1/1/2000
21	USA	1/1/2000
22	USA	1/1/2000
23	USA	1/1/2000
24	USA	1/1/2000
25	USA	1/1/2000
26	USA	1/1/2000
27	USA	1/1/2000
28	USA	1/1/2000
29	USA	1/1/2000
30	USA	1/1/2000
31	USA	1/1/2000
32	USA	1/1/2000
33	USA	1/1/2000
34	USA	1/1/2000
35	USA	1/1/2000
36	USA	1/1/2000
37	USA	1/1/2000
38	USA	1/1/2000
39	USA	1/1/2000
40	USA	1/1/2000
41	USA	1/1/2000
42	USA	1/1/2000
43	USA	1/1/2000
44	USA	1/1/2000
45	USA	1/1/2000
46	USA	1/1/2000
47	USA	1/1/2000
48	USA	1/1/2000
49	USA	1/1/2000
50	USA	1/1/2000
51	USA	1/1/2000
52	USA	1/1/2000
53	USA	1/1/2000
54	USA	1/1/2000
55	USA	1/1/2000
56	USA	1/1/2000
57	USA	1/1/2000
58	USA	1/1/2000
59	USA	1/1/2000
60	USA	1/1/2000
61	USA	1/1/2000
62	USA	1/1/2000
63	USA	1/1/2000
64	USA	1/1/2000
65	USA	1/1/2000
66	USA	1/1/2000
67	USA	1/1/2000
68	USA	1/1/2000
69	USA	1/1/2000
70	USA	1/1/2000
71	USA	1/1/2000
72	USA	1/1/2000
73	USA	1/1/2000
74	USA	1/1/2000
75	USA	1/1/2000
76	USA	1/1/2000
77	USA	1/1/2000
78	USA	1/1/2000
79	USA	1/1/2000
80	USA	1/1/2000
81	USA	1/1/2000
82	USA	1/1/2000
83	USA	1/1/2000
84	USA	1/1/2000
85	USA	1/1/2000
86	USA	1/1/2000
87	USA	1/1/2000
88	USA	1/1/2000
89	USA	1/1/2000
90	USA	1/1/2000
91	USA	1/1/2000
92	USA	1/1/2000
93	USA	1/1/2000
94	USA	1/1/2000
95	USA	1/1/2000
96	USA	1/1/2000
97	USA	1/1/2000
98	USA	1/1/2000
99	USA	1/1/2000
100	USA	1/1/2000

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/197,137 14/04/00  
(Application Serial Number) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

09/667,298	22/09/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

09/631.451	03/08/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

09/598,042	20/06/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



## APPLICABLE RULES AND STATUTES

### 37 CFR 1.56. DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

It is the duty of the applicant to disclose information by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

### 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

### 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.



POWER OF ATTORNEY: I hereby appoint as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

John B. Luggins (48,566)  
 Allen H. Gerstein (42,110) 2002  
 Nate F. Scottelli (22,320)  
 Edward M. McToole (22,477)  
 Michael F. Boudreau (25,447)  
 Trevor B. Joike (30,787)  
 Carl E. Moore, Jr. (30,787)  
 Richard H. Anderson (29,526)

Patrick D. Ertel (26,877)  
 Richard B. Hoffman (26,910)  
 James P. Zeller (28,491)  
 William E. McCracken (30,195)  
 Richard A. Schnurr (30,890)  
 Anthony Nimmo (30,920)  
 Christine A. Dudzik (31,245)  
 Kevin D. Hogg (31,839)

Jeffrey S. Sharp (31,879)  
 Martin J. Hirsch (32,237)  
 James J. Napoli (32,361)  
 Richard M. La Barge (32,254)  
 Li-Hsien Rin-Laures, M.D. (33,547)  
 Douglass C. Hochstetler (33,710)  
 Robert M. Gerstein (34,824)

Anthony G. Sitko (36,278)  
 James A. Flight (37,622)  
 Roger A. Heppermann (37,641)  
 David A. Gass (38,153)  
 Gregory C. Mayer (38,238)  
 Michael R. Weiner (38,359)  
 William K. Merkel (40,725)

Send correspondence to: Sharon M. Sintich


FIRM NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Marshall, O'Toole, Gerstein, Murray & Boron	312-474-6300	6300 Sears Tower 233 South Wacker Drive	Chicago, Illinois	60606-6402

Full Name of First or Sole Inventor <b>Dennis G. Ballinger</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>38 Bishop Lane</b>	Post Office Address - Street <b>38 Bishop Lane</b>
City (Zip) <b>Menlo Park, 94025</b>	City (Zip) <b>Menlo Park, 94025</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Second Joint Inventor, if any <b>Deborah Loeb</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>5932 Valley Meadow Court</b>	Post Office Address - Street <b>5932 Valley Meadow Court</b>
City (Zip) <b>San Jose, 95135</b>	City (Zip) <b>San Jose, 95135</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> <b>2-13-02</b>	Signature <input checked="" type="checkbox"/> <i>Deborah Loeb</i>

Third Joint Inventor, if any <b>Julie R. Montgomery</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>2077 Redwood Drive</b>	Post Office Address - Street <b>2077 Redwood Drive</b>
City (Zip) <b>Santa Cruz, 95060</b>	City (Zip) <b>Santa Cruz, 95060</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourth Joint Inventor, if any <b>Y. Tom Tang</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4230 Ranwick Court</b>	Post Office Address - Street <b>4230 Ranwick Court</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fifth Joint Inventor, if any Ping Zhou		Citizenship United States of America
Residence Address - Street 7595 Newcastle Drive		Post Office Address - Street 7595 Newcastle Drive
City (Zip) Cupertino, 95014		City (Zip) Cupertino, 95014
State or Country California		State or Country California
Date <input checked="" type="checkbox"/>		Signature <input checked="" type="checkbox"/>

Sixth Joint Inventor, if any Ryle Goodrich	Citizenship United States of America
Residence Address - Street 4896 Sandy Lane	Post Office Address - Street 4896 Sandy Lane
City (Zip) San Jose, 95124	City (Zip) San Jose, 95124
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Seventh Joint Inventor, if any Chenghua Liu	Citizenship United States of America
Residence Address - Street 1125 Ranchero Way, Apt. 14	Post Office Address - Street 1125 Ranchero Way, Apt. 14
City (Zip) San Jose, 95117	City (Zip) San Jose, 95117
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eighth Joint Inventor, if any Vinod Asundi	Citizenship United States of America
Residence Address - Street 709 Foster City Blvd.	Post Office Address - Street 709 Foster City Blvd.
City (Zip) Foster City, 94404	City (Zip) Foster City, 94404
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Ninth Joint Inventor, if any Qing A. Zhao	Citizenship People's Republic of China
Residence Address - Street 1556 Kooser Road	Post Office Address - Street 1556 Kooser Road
City (Zip) San Jose, 95118	City (Zip) San Jose, 95118
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Tenth Joint Inventor, if any <b>Tom Wehrman</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>	Post Office Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>
City (Zip) <b>Stanford, 94305</b>	City (Zip) <b>Stanford, 94305</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



Eleventh Joint Inventor, if any <b>Radoje T. Drmanac</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>850 East Greenwich Place</b>	Post Office Address - Street <b>850 East Greenwich Place</b>
City (Zip) <b>Palo Alto, 94303</b>	City (Zip) <b>Palo Alto, 94303</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Twelfth Joint Inventor, if any <b>Feiyan Ren</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7703 Oak Meadow Court</b>	Post Office Address - Street <b>7703 Oak Meadow Court</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Thirteenth Joint Inventor, if any <b>Xiaohong B. Qian</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>3662 Tumble Way</b>	Post Office Address - Street <b>3662 Tumble Way</b>
City (Zip) <b>San Jose, 95132</b>	City (Zip) <b>San Jose, 95132</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourteenth Joint Inventor, if any <b>Dunrui Wang</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>12252 Pepper Tree Lane</b>	Post Office Address - Street <b>12252 Pepper Tree Lane</b>
City (Zip) <b>Poway, 92064</b>	City (Zip) <b>Poway, 92064</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



**DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

As the below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below and that I am the inventor of the invention named in the title of the application. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**MATERIALS AND METHODS RELATING TO LIPID METABOLISM,**" the specification of which was filed on April 16, 2001 as Application Serial No. 09/835,996. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Priority Claimed

☐ Yes      ☐ No

(Application Serial Number)	(Country)	(Day/Month/Year Filed)
1	USA	1/1/2000
2	USA	1/1/2000
3	USA	1/1/2000
4	USA	1/1/2000
5	USA	1/1/2000
6	USA	1/1/2000
7	USA	1/1/2000
8	USA	1/1/2000
9	USA	1/1/2000
10	USA	1/1/2000
11	USA	1/1/2000
12	USA	1/1/2000
13	USA	1/1/2000
14	USA	1/1/2000
15	USA	1/1/2000
16	USA	1/1/2000
17	USA	1/1/2000
18	USA	1/1/2000
19	USA	1/1/2000
20	USA	1/1/2000
21	USA	1/1/2000
22	USA	1/1/2000
23	USA	1/1/2000
24	USA	1/1/2000
25	USA	1/1/2000
26	USA	1/1/2000
27	USA	1/1/2000
28	USA	1/1/2000
29	USA	1/1/2000
30	USA	1/1/2000
31	USA	1/1/2000
32	USA	1/1/2000
33	USA	1/1/2000
34	USA	1/1/2000
35	USA	1/1/2000
36	USA	1/1/2000
37	USA	1/1/2000
38	USA	1/1/2000
39	USA	1/1/2000
40	USA	1/1/2000
41	USA	1/1/2000
42	USA	1/1/2000
43	USA	1/1/2000
44	USA	1/1/2000
45	USA	1/1/2000
46	USA	1/1/2000
47	USA	1/1/2000
48	USA	1/1/2000
49	USA	1/1/2000
50	USA	1/1/2000
51	USA	1/1/2000
52	USA	1/1/2000
53	USA	1/1/2000
54	USA	1/1/2000
55	USA	1/1/2000
56	USA	1/1/2000
57	USA	1/1/2000
58	USA	1/1/2000
59	USA	1/1/2000
60	USA	1/1/2000
61	USA	1/1/2000
62	USA	1/1/2000
63	USA	1/1/2000
64	USA	1/1/2000
65	USA	1/1/2000
66	USA	1/1/2000
67	USA	1/1/2000
68	USA	1/1/2000
69	USA	1/1/2000
70	USA	1/1/2000
71	USA	1/1/2000
72	USA	1/1/2000
73	USA	1/1/2000
74	USA	1/1/2000
75	USA	1/1/2000
76	USA	1/1/2000
77	USA	1/1/2000
78	USA	1/1/2000
79	USA	1/1/2000
80	USA	1/1/2000
81	USA	1/1/2000
82	USA	1/1/2000
83	USA	1/1/2000
84	USA	1/1/2000
85	USA	1/1/2000
86	USA	1/1/2000
87	USA	1/1/2000
88	USA	1/1/2000
89	USA	1/1/2000
90	USA	1/1/2000
91	USA	1/1/2000
92	USA	1/1/2000
93	USA	1/1/2000
94	USA	1/1/2000
95	USA	1/1/2000
96	USA	1/1/2000
97	USA	1/1/2000
98	USA	1/1/2000
99	USA	1/1/2000
100	USA	1/1/2000

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/197,137 14/04/00  
(Application Serial Number) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

09/667,298	22/09/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

09/631,451	03/08/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

09/598,042	20/06/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I hereby appoint as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

John B. Lungmuss (8,566)  
Allen H. Gerstein (22,918)  
Nate F. Scarpelli (22,919)  
Edward M. O'Toole (22,920)  
Michael F. Borun (25,447)  
Trevor B. Jolke (25,542)  
Carl E. Moore, Jr. (26,487)  
Richard H. Anderson (26,526)

Paul J. D. Ertel (26,877)  
Richard B. Hoffman (26,910)  
James P. Zeller (28,491)  
William E. McCracken (30,195)  
Richard A. Schnurr (30,890)  
Anthony Nimmo (30,920)  
Christine A. Dudzik (31,245)  
Kevin D. Hogg (31,839)

Jeffrey S. Sharp (31,879)  
Martin J. Hirsch (32,237)  
James J. Napoli (32,361)  
Richard M. La Barge (32,254)  
Li-Hsien Rin-Laures, M.D. (33,547)  
Douglass C. Hochstetler (33,710)  
Robert M. Gerstein (34,824)

Anthony G. Sitko (36,278)  
James A. Flight (37,622)  
Roger A. Heppermann (37,641)  
David A. Gass (38,153)  
Gregory C. Mayer (38,238)  
Michael R. Weiner (38,359)  
William K. Merkel (40,725)

Send correspondence to: Sharon M. Sintich

FIRM NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Marshall, O'Toole, Gerstein, Murray & Borun	312-474-6300	6300 Sears Tower 233 South Wacker Drive	Chicago, Illinois	60606-6402

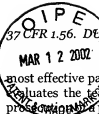
Full Name of First or Sole Inventor <b>Dennis G. Ballinger</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>38 Bishop Lane</b>	Post Office Address - Street <b>38 Bishop Lane</b>
City (Zip) <b>Menlo Park, 94025</b>	City (Zip) <b>Menlo Park, 94025</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Second Joint Inventor, if any <b>Deborah Loeb</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>5932 Valley Meadow Court</b>	Post Office Address - Street <b>5932 Valley Meadow Court</b>
City (Zip) <b>San Jose, 95135</b>	City (Zip) <b>San Jose, 95135</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Third Joint Inventor, if any <b>Julie R. Montgomery</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>2077 Redwood Drive</b>	Post Office Address - Street <b>2077 Redwood Drive</b>
City (Zip) <b>Santa Cruz, 95060</b>	City (Zip) <b>Santa Cruz, 95060</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> 2/13/2002	Signature <input checked="" type="checkbox"/> <i>Julia R. Montgomery</i>

Fourth Joint Inventor, if any <b>Y. Tom Tang</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4230 Ranwick Court</b>	Post Office Address - Street <b>4230 Ranwick Court</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

## APPLICABLE RULES AND STATUTES



### 37 CFR 1.56. DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

### 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

### 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Fifth Joint Inventor, if any <b>Ping Zhou</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7595 Newcastle Drive</b>	Post Office Address - Street <b>7595 Newcastle Drive</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Sixth Joint Inventor, if any <b>Ryle Goodrich</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4896 Sandy Lane</b>	Post Office Address - Street <b>4896 Sandy Lane</b>
City (Zip) <b>San Jose, 95124</b>	City (Zip) <b>San Jose, 95124</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Seventh Joint Inventor, if any <b>Chenghua Liu</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>1125 Ranchero Way, Apt. 14</b>	Post Office Address - Street <b>1125 Ranchero Way, Apt. 14</b>
City (Zip) <b>San Jose, 95117</b>	City (Zip) <b>San Jose, 95117</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eighth Joint Inventor, if any <b>Vinod Asundi</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>709 Foster City Blvd.</b>	Post Office Address - Street <b>709 Foster City Blvd.</b>
City (Zip) <b>Foster City, 94404</b>	City (Zip) <b>Foster City, 94404</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Ninth Joint Inventor, if any <b>Qing A. Zhao</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>1556 Kooser Road</b>	Post Office Address - Street <b>1556 Kooser Road</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



Tenth Joint Inventor, if any <b>Tom Wehrman</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>	Post Office Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>
City (Zip) <b>Stanford, 94305</b>	City (Zip) <b>Stanford, 94305</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eleventh Joint Inventor, if any <b>Radoje T. Drmanac</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>850 East Greenwich Place</b>	Post Office Address - Street <b>850 East Greenwich Place</b>
City (Zip) <b>Palo Alto, 94303</b>	City (Zip) <b>Palo Alto, 94303</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Twelfth Joint Inventor, if any <b>Feiyan Ren</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7703 Oak Meadow Court</b>	Post Office Address - Street <b>7703 Oak Meadow Court</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Thirteenth Joint Inventor, if any <b>Xiaohong B. Qian</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>3662 Tumble Way</b>	Post Office Address - Street <b>3662 Tumble Way</b>
City (Zip) <b>San Jose, 95132</b>	City (Zip) <b>San Jose, 95132</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourteenth Joint Inventor, if any <b>Dunrui Wang</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>12252 Pepper Tree Lane</b>	Post Office Address - Street <b>12252 Pepper Tree Lane</b>
City (Zip) <b>Poway, 92064</b>	City (Zip) <b>Poway, 92064</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>





## DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

I, the below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**MATERIALS AND METHODS RELATING TO LIPID METABOLISM**," the specification of which was filed on April 16, 2001 as Application Serial No. 09/835,996. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Priority Claimed

☐ Yes  
☐ No

\_\_\_\_\_  
(Application Serial Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/197,137 14/04/00  
(Application Serial Number) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936 17/11/00 Pending  
(Application Serial Number) (Day/Month/Year Filed) (Status-Patented, Pending or Abandoned)

09/667,298 22/09/00 Pending  
(Application Serial Number) (Day/Month/Year Filed) (Status-Patented, Pending or Abandoned)

09/631,451 03/08/00 Pending  
(Application Serial Number) (Day/Month/Year Filed) (Status-Patented, Pending or Abandoned)

09/598,042 20/06/00 Pending  
(Application Serial Number) (Day/Month/Year Filed) (Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I, Sharon M. Sintich, by appoint as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

John B. Lungmeyer (38,550)  
 Allen H. Gersten (22,218)  
 Nate F. Scarpello (320)  
 Edward M. O'Toole (2,477)  
 Michael F. Borun (25,544)  
 Carl E. Moore, Jr. (26,487)  
 Richard H. Anderson (26,526)


Patrick D. Ertel (26,877)  
 Richard B. Hoffman (26,910)  
 James P. Zeller (28,491)  
 William E. McCracken (30,195)  
 Richard A. Schnurr (30,890)  
 Anthony Nimmo (30,920)  
 Christine A. Dudak (31,245)  
 Kevin D. Hogg (31,839)

Jeffrey S. Sharp (31,879)  
 Martin J. Hirsch (32,237)  
 James J. Napoli (32,361)  
 Richard M. La Barge (32,254)  
 Li-Hsien Rin-Laures, M.D. (33,547)  
 Douglass C. Hochstetler (33,710)  
 Robert M. Gerstein (34,824)

Anthony G. Sitko (36,278)  
 James A. Flight (37,622)  
 Roger A. Heppermann (37,641)  
 David A. Gass (38,153)  
 Gregory C. Mayer (38,238)  
 Michael R. Weiner (38,350)  
 William K. Merkel (40,725)

Send correspondence to: Sharon M. Sintich

FIRM NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Marshall, O'Toole, Gerstein, Murray & Borun	312-474-6300	6300 Sears Tower 233 South Wacker Drive	Chicago, Illinois	60606-6402

Full Name of First or Sole Inventor <b>Dennis G. Ballinger</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>38 Bishop Lane</b>	Post Office Address - Street <b>38 Bishop Lane</b>
City (Zip) <b>Menlo Park, 94025</b>	City (Zip) <b>Menlo Park, 94025</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> <b>02-12-02</b>	Signature <input checked="" type="checkbox"/> 

Second Joint Inventor, if any <b>Deborah Loeb</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>5932 Valley Meadow Court</b>	Post Office Address - Street <b>5932 Valley Meadow Court</b>
City (Zip) <b>San Jose, 95135</b>	City (Zip) <b>San Jose, 95135</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Third Joint Inventor, if any <b>Julie R. Montgomery</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>2077 Redwood Drive</b>	Post Office Address - Street <b>2077 Redwood Drive</b>
City (Zip) <b>Santa Cruz, 95060</b>	City (Zip) <b>Santa Cruz, 95060</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourth Joint Inventor, if any <b>Y. Tom Tang</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4230 Ranwick court</b>	Post Office Address - Street <b>4230 Ranwick Court</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

MAR 12 2002

APPLICABLE RULES AND STATUTES

37 CFR 1.56. DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Fifth Joint Inventor, if any Ping Zhou	Citizenship United States of America
Residence Address - Street 7595 Newcastle Drive	Post Office Address - Street 7595 Newcastle Drive
City (Zip) Cupertino, 95014	City (Zip) Cupertino, 95014
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



Sixth Joint Inventor, if any Ryle Goodrich	Citizenship United States of America
Residence Address - Street 4896 Sandy Lane	Post Office Address - Street 4896 Sandy Lane
City (Zip) San Jose, 95124	City (Zip) San Jose, 95124
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Seventh Joint Inventor, if any Chenghua Liu	Citizenship United States of America
Residence Address - Street 1125 Ranchero Way, Apt. 14	Post Office Address - Street 1125 Ranchero Way, Apt. 14
City (Zip) San Jose, 95117	City (Zip) San Jose, 95117
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eighth Joint Inventor, if any Vinod Asundi	Citizenship United States of America
Residence Address - Street 709 Foster City Blvd.	Post Office Address - Street 709 Foster City Blvd.
City (Zip) Foster City, 94404	City (Zip) Foster City, 94404
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Ninth Joint Inventor, if any Qing A. Zhao	Citizenship People's Republic of China
Residence Address - Street 1556 Kooser Road	Post Office Address - Street 1556 Kooser Road
City (Zip) San Jose, 95118	City (Zip) San Jose, 95118
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



Tenth Joint Inventor, if any <b>Tom Wehrman</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>	Post Office Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>
City (Zip) <b>Stanford, 94305</b>	City (Zip) <b>Stanford, 94305</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eleventh Joint Inventor, if any <b>Radoje T. Drmanac</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>850 East Greenwich Place</b>	Post Office Address - Street <b>850 East Greenwich Place</b>
City (Zip) <b>Palo Alto, 94303</b>	City (Zip) <b>Palo Alto, 94303</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Twelfth Joint Inventor, if any <b>Feiyan Ren</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7703 Oak Meadow Court</b>	Post Office Address - Street <b>7703 Oak Meadow Court</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Thirteenth Joint Inventor, if any <b>Xiaohong B. Qian</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>3662 Tumble Way</b>	Post Office Address - Street <b>3662 Tumble Way</b>
City (Zip) <b>San Jose, 95132</b>	City (Zip) <b>San Jose, 95132</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourteenth Joint Inventor, if any <b>Dunrui Wang</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>12252 Pepper Tree Lane</b>	Post Office Address - Street <b>12252 Pepper Tree Lane</b>
City (Zip) <b>Poway, 92064</b>	City (Zip) <b>Poway, 92064</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



## DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**MATERIALS AND METHODS RELATING TO LIPID METABOLISM**," the specification of which was filed on April 16, 2001 as Application Serial No. 09/835,996. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Priority Claimed

☐ Yes ☐ No

_____ (Application Serial Number)	_____ (Country)	_____ (Day/Month/Year Filed)
--------------------------------------	--------------------	---------------------------------

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>60/197,137</u> (Application Serial Number)	<u>14/04/00</u> (Day/Month/Year Filed)
--	---

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>09/714,936</u> (Application Serial Number)	<u>17/11/00</u> (Day/Month/Year Filed)	<u>Pending</u> (Status-Patented, Pending or Abandoned)
--	---	---

<u>09/667,298</u> (Application Serial Number)	<u>22/09/00</u> (Day/Month/Year Filed)	<u>Pending</u> (Status-Patented, Pending or Abandoned)
--	---	---

<u>09/631,451</u> (Application Serial Number)	<u>03/08/00</u> (Day/Month/Year Filed)	<u>Pending</u> (Status-Patented, Pending or Abandoned)
--	---	---

<u>09/598,042</u> (Application Serial Number)	<u>20/06/00</u> (Day/Month/Year Filed)	<u>Pending</u> (Status-Patented, Pending or Abandoned)
--	---	---

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

APPLICABLE RULES AND STATUTES

37 CFR 1.56. DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

POWER OF ATTORNEY: I hereby appoint as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

John B. Lungu (18,566)  
 Allen H. Gerstein (22,218)  
 Nate F. Scarpello (22,320)  
 Edward M. O'Toole (22,477)  
 Michael F. Borun (25,419)  
 Trevor B. Joike (25,542)  
 Carl E. Moore, Jr. (26,487)  
 Richard H. Anderson (26,526)

Patrick D. Ertel (26,877)  
 Richard B. Hoffman (26,910)  
 James P. Zeller (28,491)  
 William E. McCracken (30,195)  
 Richard A. Schnurr (30,890)  
 Anthony Nimmo (30,920)  
 Christine A. Dudzik (31,245)  
 Kevin D. Hogg (31,839)

Jeffrey S. Sharp (31,879)  
 Martin J. Hirsch (32,237)  
 James J. Napoli (32,361)  
 Richard M. La Barge (32,254)  
 Li-Hsien Rin-Laures, M.D. (33,547)  
 Douglass C. Hochstetler (33,710)  
 Robert M. Gerstein (34,824)

Anthony G. Sitko (36,278)  
 James A. Flight (37,622)  
 Roger A. Heppermann (37,641)  
 David A. Gass (38,153)  
 Gregory C. Mayer (38,238)  
 Michael R. Weiner (38,359)  
 William K. Merkel (40,725)

Send correspondence to: Sharon M. Sintich

FIRM NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Marshall, O'Toole, Gerstein, Murray & Borun	312-474-6300	6300 Sears Tower 233 South Wacker Drive	Chicago, Illinois	60606-6402

Full Name of First or Sole Inventor <b>Dennis G. Ballinger</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>38 Bishop Lane</b>	Post Office Address - Street <b>38 Bishop Lane</b>
City (Zip) <b>Menlo Park, 94025</b>	City (Zip) <b>Menlo Park, 94025</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Second Joint Inventor, if any <b>Deborah Loeb</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>5932 Valley Meadow Court</b>	Post Office Address - Street <b>5932 Valley Meadow Court</b>
City (Zip) <b>San Jose, 95135</b>	City (Zip) <b>San Jose, 95135</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Third Joint Inventor, if any <b>Julie R. Montgomery</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>2077 Redwood Drive</b>	Post Office Address - Street <b>2077 Redwood Drive</b>
City (Zip) <b>Santa Cruz, 95060</b>	City (Zip) <b>Santa Cruz, 95060</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourth Joint Inventor, if any <b>Y. Tom Tang</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4230 Ranwick Court</b>	Post Office Address - Street <b>4230 Ranwick Court</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



Fifth Joint Inventor, if any <b>Ping Zhou</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7595 Newcastle Drive</b>	Post Office Address - Street <b>7595 Newcastle Drive</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



Sixth Joint Inventor, if any <b>Ryle Goodrich</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4896 Sandy Lane</b>	Post Office Address - Street <b>4896 Sandy Lane</b>
City (Zip) <b>San Jose, 95124</b>	City (Zip) <b>San Jose, 95124</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Seventh Joint Inventor, if any <b>Chenghua Liu</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>1125 Ranchero Way, Apt. 14</b>	Post Office Address - Street <b>1125 Ranchero Way, Apt. 14</b>
City (Zip) <b>San Jose, 95117</b>	City (Zip) <b>San Jose, 95117</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eighth Joint Inventor, if any <b>Vinod Asundi</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>709 Foster City Blvd.</b>	Post Office Address - Street <b>709 Foster City Blvd.</b>
City (Zip) <b>Foster City, 94404</b>	City (Zip) <b>Foster City, 94404</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Ninth Joint Inventor, if any <b>Qing A. Zhao</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>1556 Kooser Road</b>	Post Office Address - Street <b>1556 Kooser Road</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

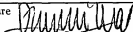


Tenth Joint Inventor, if any <b>Tom Wehrman</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>	Post Office Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>
City (Zip) <b>Stanford, 94305</b>	City (Zip) <b>Stanford, 94305</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eleventh Joint Inventor, if any <b>Radoje T. Drmanac</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>850 East Greenwich Place</b>	Post Office Address - Street <b>850 East Greenwich Place</b>
City (Zip) <b>Palo Alto, 94303</b>	City (Zip) <b>Palo Alto, 94303</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Twelfth Joint Inventor, if any <b>Feiyan Ren</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7703 Oak Meadow Court</b>	Post Office Address - Street <b>7703 Oak Meadow Court</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Thirteenth Joint Inventor, if any <b>Xiaohong B. Qian</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>3662 Tumble Way</b>	Post Office Address - Street <b>3662 Tumble Way</b>
City (Zip) <b>San Jose, 95132</b>	City (Zip) <b>San Jose, 95132</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourteenth Joint Inventor, if any <b>Dunrui Wang</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>12252 Pepper Tree Lane</b>	Post Office Address - Street <b>12252 Pepper Tree Lane</b>
City (Zip) <b>Poway, 92064</b>	City (Zip) <b>Poway, 92064</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> 2/12/02	Signature <input checked="" type="checkbox"/> 



## DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

I, the below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**MATERIALS AND METHODS RELATING TO LIPID METABOLISM**," the specification of which was filed on April 16, 2001 as Application Serial No. 09/835,996. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Priority Claimed

(Application Serial Number)

(Country)

(Day/Month/Year Filed)

☐ Yes  
☐ No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/197,137

(Application Serial Number)

14/04/00

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936

(Application Serial Number)

17/11/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

09/667,298

(Application Serial Number)

22/09/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

09/631,451

(Application Serial Number)

03/08/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

09/598,042

(Application Serial Number)

20/06/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

**MAR 12 2002**  
 John B. Luginus (18,566)  
 Allen H. Gerslein (22,218)  
 Nate F. Scarpa (22,320)  
 Edward M. O'Sullivan (22,320)  
 Michael F. Borun (25,447)  
 Trevor B. Joike (25,542)  
 Carl E. Moore, Jr. (26,487)  
 Richard H. Anderson (26,526)

Patrick D. Ertel (26,877)  
 Richard B. Hoffman (26,910)  
 James P. Zeller (28,491)  
 William E. McCracken (30,195)  
 Richard A. Schnurr (30,890)  
 Anthony Nimmo (30,920)  
 Christine A. Dudzik (31,245)  
 Kevin D. Hogg (31,839)

Jeffrey S. Sharp (31,879)  
 Martin J. Hirsch (32,237)  
 James J. Napoli (32,361)  
 Richard M. La Barge (32,254)  
 Li-Hsien Rin-Laures, M.D. (33,547)  
 Douglass C. Hochstetler (33,710)  
 Robert M. Gerstein (34,824)

Anthony G. Sitko (36,278)  
 James A. Flight (37,622)  
 Roger A. Heppermann (37,641)  
 David A. Gass (38,153)  
 Gregory C. Mayer (38,238)  
 Michael R. Weiner (38,359)  
 William K. Merkel (40,725)

Send correspondence to: Sharon M. Sintich

FIRM NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Marshall, O'Toole, Gerstein, Murray & Borun	312-474-6300	6300 Sears Tower 233 South Wacker Drive	Chicago, Illinois	60606-6402

Full Name of First or Sole Inventor <b>Dennis G. Ballinger</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>38 Bishop Lane</b>	Post Office Address - Street <b>38 Bishop Lane</b>
City (Zip) <b>Menlo Park, 94025</b>	City (Zip) <b>Menlo Park, 94025</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Second Joint Inventor, if any <b>Deborah Loeb</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>5932 Valley Meadow Court</b>	Post Office Address - Street <b>5932 Valley Meadow Court</b>
City (Zip) <b>San Jose, 95135</b>	City (Zip) <b>San Jose, 95135</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Third Joint Inventor, if any <b>Julie R. Montgomery</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>2077 Redwood Drive</b>	Post Office Address - Street <b>2077 Redwood Drive</b>
City (Zip) <b>Santa Cruz, 95060</b>	City (Zip) <b>Santa Cruz, 95060</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourth Joint Inventor, if any <b>Y. Tom Tang</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4230 Ranwick court</b>	Post Office Address - Street <b>4230 Ranwick Court</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



## APPLICABLE RULES AND STATUTES

### 37 CFR 1.56. DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

### 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

### 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.


MAR 12 2002  
U.S. PATENT & TRADEMARK OFFICE

Fifth Joint Inventor, if any <u>Ping Zhou</u>	Citizenship <u>United States of America</u>
Residence Address - Street <u>7595 Newcastle Drive</u>	Post Office Address - Street <u>7595 Newcastle Drive</u>
City (Zip) <u>Cupertino, 95014</u>	City (Zip) <u>Cupertino, 95014</u>
State or Country <u>California</u>	State or Country <u>California</u>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Sixth Joint Inventor, if any <u>Ryle Goodrich</u>	Citizenship <u>United States of America</u>
Residence Address - Street <u>4896 Sandy Lane</u>	Post Office Address - Street <u>4896 Sandy Lane</u>
City (Zip) <u>San Jose, 95124</u>	City (Zip) <u>San Jose, 95124</u>
State or Country <u>California</u>	State or Country <u>California</u>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Seventh Joint Inventor, if any <u>Chenghua Liu</u>	Citizenship <u>United States of America</u>
Residence Address - Street <u>1125 Ranchero Way, Apt. 14</u>	Post Office Address - Street <u>1125 Ranchero Way, Apt. 14</u>
City (Zip) <u>San Jose, 95117</u>	City (Zip) <u>San Jose, 95117</u>
State or Country <u>California</u>	State or Country <u>California</u>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eighth Joint Inventor, if any <u>Vinod Asundi</u>	Citizenship <u>United States of America</u>
Residence Address - Street <u>709 Foster City Blvd.</u>	Post Office Address - Street <u>709 Foster City Blvd.</u>
City (Zip) <u>Foster City, 94404</u>	City (Zip) <u>Foster City, 94404</u>
State or Country <u>California</u>	State or Country <u>California</u>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Ninth Joint Inventor, if any <u>Qing A. Zhao</u>	Citizenship <u>People's Republic of China</u>
Residence Address - Street <u>1556 Kooser Road</u>	Post Office Address - Street <u>1556 Kooser Road</u>
City (Zip) <u>San Jose, 95118</u>	City (Zip) <u>San Jose, 95118</u>
State or Country <u>California</u>	State or Country <u>California</u>
Date <input checked="" type="checkbox"/> 2/16/02	Signature <input checked="" type="checkbox"/> 



Tenth Joint Inventor, if any <b>Tom Wehrman</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>	Post Office Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>
City (Zip) <b>Stanford, 94305</b>	City (Zip) <b>Stanford, 94305</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eleventh Joint Inventor, if any <b>Radoje T. Drmanac</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>850 East Greenwich Place</b>	Post Office Address - Street <b>850 East Greenwich Place</b>
City (Zip) <b>Palo Alto, 94303</b>	City (Zip) <b>Palo Alto, 94303</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Twelfth Joint Inventor, if any <b>Feiyan Ren</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7703 Oak Meadow Court</b>	Post Office Address - Street <b>7703 Oak Meadow Court</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Thirteenth Joint Inventor, if any <b>Xiaohong B. Qian</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>3662 Tumble Way</b>	Post Office Address - Street <b>3662 Tumble Way</b>
City (Zip) <b>San Jose, 95132</b>	City (Zip) <b>San Jose, 95132</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourteenth Joint Inventor, if any <b>Dunrui Wang</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>12252 Pepper Tree Lane</b>	Post Office Address - Street <b>12252 Pepper Tree Lane</b>
City (Zip) <b>Poway, 92064</b>	City (Zip) <b>Poway, 92064</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



## DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**MATERIALS AND METHODS RELATING TO LIPID METABOLISM**," the specification of which was filed on April 16, 2001 as Application Serial No. 09/835,996. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Priority Claimed

☐ Yes  
☐ No

(Application Serial Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/197,137

(Application Serial Number)

14/04/00

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936

(Application Serial Number)

17/11/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

09/667,298

(Application Serial Number)

22/09/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

09/631,451

(Application Serial Number)

03/08/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

09/598,042

(Application Serial Number)

20/06/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



POWER OF ATTORNEY: I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

John B. Lungmeyer (48,566)  
 Allen H. Gerstein (28,218)  
 Nate F. Scarpelli (28,690)  
 Edward M. O'Toole (26,487)  
 Michael F. Borun (25,447)  
 Trevor B. Joike (25,542)  
 Carl E. Moore, Jr. (26,487)  
 Richard H. Anderson (26,526)

Patrick D. Ertel (26,877)  
 Richard B. Hoffman (26,910)  
 James P. Zeller (28,491)  
 William E. McCracken (30,195)  
 Richard A. Schnurr (30,890)  
 Anthony Nimmo (30,920)  
 Christine A. Dufzik (31,245)  
 Kevin D. Hogg (31,839)

Jeffrey S. Sharp (31,879)  
 Martin J. Hirsch (32,237)  
 James J. Napoli (32,361)  
 Richard M. La Barge (32,254)  
 Li-Hsien Rin-Laures, M.D. (33,547)  
 Douglass C. Hochstetler (33,710)  
 Robert M. Gerstein (34,824)

Anthony G. Sitko (36,278)  
 James A. Flight (37,622)  
 Roger A. Heppermann (37,641)  
 David A. Gass (38,153)  
 Gregory C. Mayer (38,238)  
 Michael R. Weiner (38,359)  
 William K. Merkel (40,725)

Send correspondence to: Sharon M. Sintich

FIRM NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Marshall, O'Toole, Gerstein, Murray & Borun	312-474-6300	6900 Sears Tower 233 South Wacker Drive	Chicago, Illinois	60606-6402

Full Name of First or Sole Inventor <b>Dennis G. Ballinger</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>38 Bishop Lane</b>	Post Office Address - Street <b>38 Bishop Lane</b>
City (Zip) <b>Menlo Park, 94025</b>	City (Zip) <b>Menlo Park, 94025</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Second Joint Inventor, if any <b>Deborah Loeb</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>5932 Valley Meadow Court</b>	Post Office Address - Street <b>5932 Valley Meadow Court</b>
City (Zip) <b>San Jose, 95135</b>	City (Zip) <b>San Jose, 95135</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Third Joint Inventor, if any <b>Julie R. Montgomery</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>2077 Redwood Drive</b>	Post Office Address - Street <b>2077 Redwood Drive</b>
City (Zip) <b>Santa Cruz, 95060</b>	City (Zip) <b>Santa Cruz, 95060</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourth Joint Inventor, if any <b>Y. Tom Tang</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4230 Ranwick court</b>	Post Office Address - Street <b>4230 Ranwick Court</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

## APPLICABLE RULES AND STATUTES

37 CFR 1.200 OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

### 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

### 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Fifth Joint Inventor, if any <b>Ping Zhou</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7595 Newcastle Drive</b>	Post Office Address - Street <b>7595 Newcastle Drive</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Sixth Joint Inventor, if any <b>Ryle Goodrich</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4896 Sandy Lane</b>	Post Office Address - Street <b>4896 Sandy Lane</b>
City (Zip) <b>San Jose, 95124</b>	City (Zip) <b>San Jose, 95124</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> 2/19/2002	Signature <input checked="" type="checkbox"/> <i>Ryle Goodrich</i>

Seventh Joint Inventor, if any <b>Chenghua Liu</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>1125 Rancho Way, Apt. 14</b>	Post Office Address - Street <b>1125 Rancho Way, Apt. 14</b>
City (Zip) <b>San Jose, 95117</b>	City (Zip) <b>San Jose, 95117</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eighth Joint Inventor, if any <b>Vinod Asundi</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>709 Foster City Blvd.</b>	Post Office Address - Street <b>709 Foster City Blvd.</b>
City (Zip) <b>Foster City, 94404</b>	City (Zip) <b>Foster City, 94404</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Ninth Joint Inventor, if any <b>Qing A. Zhao</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>1556 Kooser Road</b>	Post Office Address - Street <b>1556 Kooser Road</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Tenth Joint Inventor, if any Tom Wehrman	Citizenship United States of America
Residence Address - Street CCSR Mol Pharm 3210 269 W. Campus Drive	Post Office Address - Street CCSR Mol Pharm 3210 269 W. Campus Drive
City (Zip) Stanford, 94305	City (Zip) Stanford, 94305
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eleventh Joint Inventor, if any Radoje T. Drmanac	Citizenship United States of America
Residence Address - Street 850 East Greenwich Place	Post Office Address - Street 850 East Greenwich Place
City (Zip) Palo Alto, 94303	City (Zip) Palo Alto, 94303
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Twelfth Joint Inventor, if any Feiyan Ren	Citizenship United States of America
Residence Address - Street 7703 Oak Meadow Court	Post Office Address - Street 7703 Oak Meadow Court
City (Zip) Cupertino, 95014	City (Zip) Cupertino, 95014
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Thirteenth Joint Inventor, if any Xiaohong B. Qian	Citizenship People's Republic of China
Residence Address - Street 3662 Tumble Way	Post Office Address - Street 3662 Tumble Way
City (Zip) San Jose, 95132	City (Zip) San Jose, 95132
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourteenth Joint Inventor, if any Dunrui Wang	Citizenship People's Republic of China
Residence Address - Street 12252 Pepper Tree Lane	Post Office Address - Street 12252 Pepper Tree Lane
City (Zip) Poway, 92064	City (Zip) Poway, 92064
State or Country California	State or Country California
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>



## DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**MATERIALS AND METHODS RELATING TO LIPID METABOLISM**," the specification of which was filed on April 16, 2001 as Application Serial No. 09/835,996. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Priority Claimed

☐ Yes  
☐ No

(Application Serial Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/197,137

(Application Serial Number)

14/04/00

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936

(Application Serial Number)

17/11/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

09/667,298

(Application Serial Number)

22/09/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

09/631,451

(Application Serial Number)

03/08/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

09/598,042

(Application Serial Number)

20/06/00

(Day/Month/Year Filed)

Pending

(Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

MAR 12 2002  
 John B. Langmuir (8,566)  
 Allen Y. Gerstein (22,218)  
 Nate F. Scarpelli (22,320)  
 Edward M. C. Boyle (22,321)  
 Michael F. Boran (22,347)  
 Trevor B. Joike (25,542)  
 Carl E. Moore, Jr. (26,487)  
 Richard H. Anderson (26,526)

Patrick D. Ertel (26,877)  
 Richard B. Hoffman (26,910)  
 James P. Zeller (28,491)  
 William E. McCracken (30,195)  
 Richard A. Schnurr (30,890)  
 Anthony Nimmo (30,920)  
 Christine A. Dudzik (31,245)  
 Kevin D. Hogg (31,839)

Jeffrey S. Sharp (31,879)  
 Martin J. Hirsch (32,237)  
 James J. Napoli (32,361)  
 Richard M. La Barge (32,254)  
 Li-Hsien Rin-Laures, M.D. (33,547)  
 Douglas C. Hochstetler (33,710)  
 Robert M. Gerstein (34,824)

Anthony G. Sitko (36,278)  
 James A. Flight (37,622)  
 Roger A. Heppermann (37,641)  
 David A. Gass (38,153)  
 Gregory C. Mayer (38,238)  
 Michael R. Weiner (38,359)  
 William K. Merkel (40,725)

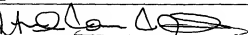
Send correspondence to: Sharon M. Sintich

FIRM NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Marshall, O'Toole, Gerstein, Murray & Borun	312-474-6300	6300 Sears Tower 233 South Wacker Drive	Chicago, Illinois	60606-6402

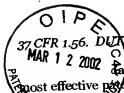
Full Name of First or Sole Inventor <b>Dennis G. Ballinger</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>38 Bishop Lane</b>	Post Office Address - Street <b>38 Bishop Lane</b>
City (Zip) <b>Menlo Park, 94025</b>	City (Zip) <b>Menlo Park, 94025</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Second Joint Inventor, if any <b>Deborah Loeb</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>5932 Valley Meadow Court</b>	Post Office Address - Street <b>5932 Valley Meadow Court</b>
City (Zip) <b>San Jose, 95135</b>	City (Zip) <b>San Jose, 95135</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Third Joint Inventor, if any <b>Julie R. Montgomery</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>2077 Redwood Drive</b>	Post Office Address - Street <b>2077 Redwood Drive</b>
City (Zip) <b>Santa Cruz, 95060</b>	City (Zip) <b>Santa Cruz, 95060</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Fourth Joint Inventor, if any <b>Y. Tom Tang</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4230 Ranwick court</b>	Post Office Address - Street <b>4230 Ranwick Court</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> Feb. 11, 2002	Signature <input checked="" type="checkbox"/> 

## APPLICABLE RULES AND STATUTES



### 37 CFR 1.56. DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from duty to disclose information becomes abandoned. Information material to the patentability of a claim that is canceled consideration, or the application becomes abandoned. There is no duty to submit information which is not material to the remaining under consideration in the application. The duty to disclose all information known to be material to patentability is deemed to be material to patentability of any claim issued in a patent was cited by the Office or satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

### 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

### 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Fifth Joint Inventor, if any <b>Ping Zhou</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7595 Newcastle Drive</b>	Post Office Address - Street <b>7595 Newcastle Drive</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> <i>[Signature]</i> 2/11/02	Signature <input checked="" type="checkbox"/> <i>[Signature]</i>

Sixth Joint Inventor, if any <b>Ryle Goodrich</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>4896 Sandy Lane</b>	Post Office Address - Street <b>4896 Sandy Lane</b>
City (Zip) <b>San Jose, 95124</b>	City (Zip) <b>San Jose, 95124</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Seventh Joint Inventor, if any <b>Chenghua Liu</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>1125 Rancho Way, Apt. 14</b>	Post Office Address - Street <b>1125 Rancho Way, Apt. 14</b>
City (Zip) <b>San Jose, 95117</b>	City (Zip) <b>San Jose, 95117</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Eighth Joint Inventor, if any <b>Vinod Asundi</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>709 Foster City Blvd.</b>	Post Office Address - Street <b>709 Foster City Blvd.</b>
City (Zip) <b>Foster City, 94404</b>	City (Zip) <b>Foster City, 94404</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Ninth Joint Inventor, if any <b>Qing A. Zhao</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>1556 Kooser Road</b>	Post Office Address - Street <b>1556 Kooser Road</b>
City (Zip) <b>San Jose, 95118</b>	City (Zip) <b>San Jose, 95118</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>





Tenth Joint Inventor, if any <b>Tom Wehrman</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>	Post Office Address - Street <b>CCSR Mol Pharm 3210 269 W. Campus Drive</b>
City (Zip) <b>Stanford, 94305</b>	City (Zip) <b>Stanford, 94305</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> <b>2/21/02</b>	Signature <input checked="" type="checkbox"/>

Eleventh Joint Inventor, if any <b>Radoje T. Drmanac</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>850 East Greenwich Place</b>	Post Office Address - Street <b>850 East Greenwich Place</b>
City (Zip) <b>Palo Alto, 94303</b>	City (Zip) <b>Palo Alto, 94303</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> <b>2-11-02</b>	Signature <input checked="" type="checkbox"/>

Twelfth Joint Inventor, if any <b>Feiyun Ren</b>	Citizenship <b>United States of America</b>
Residence Address - Street <b>7703 Oak Meadow Court</b>	Post Office Address - Street <b>7703 Oak Meadow Court</b>
City (Zip) <b>Cupertino, 95014</b>	City (Zip) <b>Cupertino, 95014</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>

Thirteenth Joint Inventor, if any <b>Xiaohong B. Qian</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>3662 Tumble Way</b>	Post Office Address - Street <b>3662 Tumble Way</b>
City (Zip) <b>San Jose, 95132</b>	City (Zip) <b>San Jose, 95132</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/> <b>2-11-2002</b>	Signature <input checked="" type="checkbox"/>

Fourteenth Joint Inventor, if any <b>Dunrui Wang</b>	Citizenship <b>People's Republic of China</b>
Residence Address - Street <b>12252 Pepper Tree Lane</b>	Post Office Address - Street <b>12252 Pepper Tree Lane</b>
City (Zip) <b>Poway, 92064</b>	City (Zip) <b>Poway, 92064</b>
State or Country <b>California</b>	State or Country <b>California</b>
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/>